REVISED SYNOPSIS

SWAMI RAMANAND TEERTH MARATHWADA UNIVERSITY, NANDED

A CRITICAL STUDY OF THE PROVISIONS OF BOARD OF EXAMINATIONS AND EVALUATION, UNDER THE MAHARASHTRA PUBLIC UNIVERSITIES ACT, 2016; WITH SPECIAL REFERENCE TO S.R.T.M.U., NANDED

Synopsis for Registration as Research Student

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SWAMI RAMANAND TEERTH MARATHWADA UNIVERSITY, NANDED

SYNOPSIS OF THE PROPOSED RESERCH WORK

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A CRITICAL STUDY OF THE PROVISIONSOF BOARD OF EXAMINATIONS AND EVALUATION UNDER THE MAHARASHTRA PUBLIC UNIVERSITIES ACT, 2016 WITH SPECIAL REFERENCE TO S.R.T.M.U., NANDED

1. Introduction

Examinations are a crucial part of the education system, serving as a measure of students' understanding and knowledge retention. However, the pressure and stress associated with exams can often be overwhelming for students. Let's delve deeper into the world of examinations and their implications on students' academic journey. Knowledge plays a vital role in human life. No human civilization progress is possible without the knowledge or information to be tested. Such testing mechanism for the knowledge gained by the student might be termed as an examination.

Wikipedia refers in its widest sense, to examine is to look at something very carefully, perhaps to find the cause of a problem. Someone who is ill may need to go to a doctor for a medical examination. A mechanic may examine a machine to find why it is not working properly. If the candidate is successful he will have passed the examination. If he is unsuccessful he will have failed. In some cases it is possible for a student who has failed to take the exam again another time. A student who passes an examination may get a certificate or diploma. Some certificates are professional qualifications, allowing the person to do a particular job, e.g. plumber, teacher, doctor, lawyer.

Examination has been used since ancient times. Henry Fischel[1] was the first person who invented exams and has the credit for inventing the concept of studying for tests. He was an American businessman and philanthropist. In the late 19th century, Henry Fischel established the first examination in China, the Imperial Examination.

The ancient education system in India, deeply rooted in its cultural and philosophical heritage, is one of the oldest and most revered systems of education in the world. Here's an overview. Gurukul System: At the heart of ancient Indian education was the Gurukul system, where students lived with their guru (teacher) in an ashram (hermitage) or residential school. Holistic Education: Ancient Indian education f

ocused on holistic development, encompassing physical, intellectual, emotional, and spiritual aspects. Students received instruction not only in academic subjects like mathematics, grammar, astronomy, and philosophy but also in practical skills, ethics, morality, and character development. Guru-Disciple Relationship: Central to the ancient Indian education system was the profound bond between the guru and the disciple. The guru was not merely a teacher but a spiritual guide and mentor who imparted knowledge and wisdom while nurturing the moral and ethical values of the student.

Centers of Learning[2]; Ancient India was home to renowned centers of learning such as Takshashila, Nalanda, Vikramashila, and Ujjain, which attracted scholars and students from different parts of the world. These universities were hubs of intellectual discourse, research, and innovation.

Examinations are a formal assessment of a person's knowledge or proficiency in a particular subject or skill. They are typically used in educational settings to evaluate students' understanding of course material. Examinations can take many forms, including multiple-choice tests, essays, practical

[1] **Chegg**
[2] Testbook.com

demonstrations, and oral presentations. They are often used to measure a student's ability to recall information, analyze data, and solve problems. Examinations can be stressful for students, as they are often seen as high-stakes assessments that can impact their grades or future opportunities. Some people argue that examinations are an effective way to assess students' knowledge and skills, while others believe they are too focused on memorization and do not accurately reflect a person's true abilities. Examinations can also be used in professional settings to assess job applicants' qualifications or employees' competency in a particular role. Some standardized examinations, such as the SAT or GRE, are used to compare students' performance on a national or international level. Cheating on examinations, such as copying from another student or using unauthorized materials, is considered unethical and can result in serious consequences. Overall, examinations play a significant role in education and professional development, serving as a way to measure and validate individuals' knowledge and skills.

Examinations are an integral part of the education system, serving as a measure of a student's understanding and knowledge of a particular subject. They are designed to evaluate a student's ability to recall and apply the information they have learned throughout the course. Examinations come in various forms, including written exams, oral exams, practical exams, and standardized tests. While some students may excel in examinations, others may struggle due to various reasons such as test anxiety, lack of preparation, or difficulty understanding the material.

The main types[3] of exams that you will have to complete are such as Essay exams, Multiple choice exams, Open-book and take-home exams, Problem or case-based exams and Oral exams**.** Here is a list of some common competitive exams in India as shown beneath : - UPSC Civil Services Examination, JEE (Joint Entrance Examination), SSC (Staff Selection Commission), GATE (Graduate Aptitude Test in Engineering), IBPS (Institute of Banking Personnel Selection).

The current scenario for higher education refers to the higher top education institution, namely University. As per Wikipedia[4]; A university (from Latin *universitas*, whole) is an institution of higher (or tertiary) education and research which awards academic degrees in several academic disciplines. *University* is derived from the Latin phrase *universitas magistrorum et scholarium*, which roughly means 'community of teachers and scholars'. Universities typically offer both undergraduate and postgraduate programs. The time of the emergence of universities (12th and 13th centuries) coincided with a major medieval transition period in Europe, characterised by changes both in social power structures.

The oldest university called such was founded in Bologna, Italy, in 1088. The oldest university in the world is the University of Magnaura in Constantinople (now Istanbul, Turkey), founded in 849 by the regent Bardas of emperor Michael III

At a glance, examinations play a crucial role in the education system by assessing students' understanding of the material, measuring their academic performance, and preparing them for future challenges. While examinations can be a source of stress and anxiety for some students, they also provide valuable feedback and opportunities for growth and improvement. By implementing strategies to reduce test anxiety, promote academic integrity, and support students in their exam preparation, educators can help to create a more inclusive and supportive testing environment for all students. Ultimately, examinations

[3] Microsoft Bing
[4] Wikipedia

are a necessary and valuable tool for evaluating student learning and promoting academic success.

SOME EXAMPLES OF POOR LAW IMPLEMENTATION IN INDIA

1. **Environmental Laws:** The Government has passed various laws to reduce the damage being caused to the environment such as the Forest Conservation Act, 1980, Environmental Protection Act, 1986, National Green Tribunal Act, 2010 etc. They are not implemented properly and despite having a specialised court to deal with environmental damage still persists.
2. **Gender Laws:** Women in India though are progressing and breaking barriers in the form of pro-gender laws. They still lack an effective implementation. According to the United Nations report on gender equality India is still behind the rest of the world significantly.
3. **Labour Laws:** Child labour still persists despite having strict labour laws like the Payment of Wages Act 1936, The Minimum Wages Act, 1948 etc.
4. **Right to information:** According to studies conducted the right to information laws in our country are poorly implemented. It has been reported that a huge backlog of cases have been created and the petitioners are often left with poor quality orders.

Reasons for the poor implementation of laws in India:

1. **Poor conviction rates:** The cases under various laws are increasing but the conviction rate is still very low.
2. **Lack of state cooperation and will:** On ground implementation of laws depend on state action. State when it comes to implementing laws perform poorly either due to reasons like corruption, lack of resources or due to political rift with centre.
3. **Lack of political will:** Every few years before the elections Politicians make promises to bring out laws but after the elections, they are least interested in its implementation.
4. **Lack of rules:** A law made by the Parliament can only be applied if the government makes rules along with it as well. The Benami Transactions Act which was enacted in 1988 gave the government the power to confiscate the Benami properties. But due to the lack of rules framed these properties have not been seized for the last 26 years.
5. **High Population:** India has 2nd largest population in the world. Due to such high population laws even though enacted are difficult to implement.
6. **Lack of review:** Public Consultation and feedback can help to identify the flaws in the law. Only a few laws in India have been invited for feedback. There is also a lack of a mechanism to get these feedbacks while making rules.
7. **High diversity:** Due to high diversity it is difficult to implement laws. Language barriers, local customs are some roadblocks in proper implementation of laws.
8. **Corruption:** Corruption is the biggest problem in India. Criminals who are caught get their way out by bribing money.
9. **Habit of breaking laws:** People have developed a tendency to break laws. Where the law loses respect it is impossible to ensure the protection of rights and maintenance of peace. Despite being educated in laws they are still broken.

Solution to improve law implementation:

1. Adequate resources must be allocated by the Government for the effective implementation of existing laws, improve conviction rates and ensure that justice is done.
2. A post review of the laws will help the Government in understanding why these laws are not getting followed properly by the citizens and can help in removing all the flaws in the laws for its better implementation.
3. Around 2500 Acts are operational in our country at the central level. There should be consistency between the implementation of laws through rules by the government and the intent of the Parliament.

4. People need to be made aware of laws and the people's tendency to break laws need to be broken down. The population also has to be controlled.

Law making by Parliament is the first step in addressing gaps in our legal system. Laws are ideas and the details of their implementation come through rules. It is the implementation of the law that tests its effectiveness in addressing problems on the ground. Poor implementation will make even the greatest law ineffective.

The formal definition of the University as per UGC is "The institution shall be deemed to be a university for the purpose of UGC Act, and on such a declaration being made, all the provisions of the Act shall apply to such institution as if it were a university under the meaning of clause (f) of section 2 of the UGC Act" 1956 The major aim and objective of the University is to disseminate, create and preserve knowledge towards academic excellence.

Now, it is better to turn towards the research area i.e. "The provisions of the Board of Examinations and Evaluation of the Maharashtra Public Universities Act, 2016. The Maharashtra Public Universities Act, 2016 has come into force from the First of March, 2017. The Government of Maharashtra[5] had appointed committees under the Chairmanships of Dr. Arun Nigvekar with a view to consider and recommend on different aspects of higher education and learning and to suggest various measures to ensure such autonomy. After considering the recommendations of the said committees the Government of Maharashtra considers it expedient to make a law to provide for academic autonomy and excellence, adequate representation through democratic process, transformation, strengthening and regulating higher education and to regulate the non-agricultural and non-medical universities in the State of Maharashtra in more effective manner, to provide for participation of universities in social and educational spheres, to establish Maharashtra State Commission for Higher Education and Development, to constitute various Boards, and to repeal the Maharashtra Universities Act, 1994.

The definition[6] of the University under The Maharashtra Public Universities Act, 2016 is ""university" means any of the public universities mentioned in the Schedule and includes a cluster university within the meaning of sub-section (6) of section. The Mission Statement "Swami Ramanand Teerth Marathwada University pledges itself to uphold zealously its mission of promoting acquisition and dissemination of knowledge through fearless and sustained pursuit of excellence aimed at moulding personalities of students entering its portals to grow with an upright character filled with enlightenment and to be the value adhering members of a just and humane society".

The observations and experiences show that there may have number of difficulties/obstacles or issues during implementation of the provisions for the Board of Examinations and Evaluation; and for the Director, Board of Examinations and Evaluation of the Maharashtra Public Universities Act, 2016.

Student is the center point of the University. Hence, the provisions of the Board of Examinations and Evaluation of the Maharashtra Public Universities Act, 2016 are directed or intended basically for the stake holders and for the student welfare. The provisions for the implementation of the Board of Examinations and Evaluation of the Maharashtra Public

[5] Maharashtra Public University Act, 2016

[6] Maharashtra Public University Act, 2016,Chap 1, Prelim., Defin.,Sec. 63.

Universities Act, 2016 are from Section 47 (1), 47 (2), 47 (3), 47 (3)(a) to (j); 48 (1) (a) to (l), 48 (2), 48 (3)(a)(i) to (v), 48 (3)(b), 48 (3)(c), 48 (4), 48 (5) (a) and 48 (5) (b). Likewise, the provisions for implementation for Director, Board of Examinations and Evaluation are mentioned from 10(05), 17(01) to 17(04), 17(05)(a) to 17(05) (u). Apart from the provisions of Statutes, Ordinances and Regulations of the Maharashtra Public Universities Act, 2016; there are common ordinances on the examination matters, July, 2002 for the subject matter of conduct of examinations and Central Assessment Programming.

The Board[7] of Examinations and Evaluation is the authority to deal with all matters relating to examinations and evaluation. The Board of Examinations and Evaluation shall also oversee the conduct of examinations in the autonomous colleges, institutions, university departments and university institutions.

The BOEE (The Board of Examinations and Evaluation) is constituted[8] by the top academic heads including the Vice Chancellor (Chairperson), Pro-Vice Chancellor, Deans of the faculties and associate deans and so on alongwith administrative personnel such as Director of Higher Education or his nominee with Director of BOEE as the member secretary.

While implementing the powers and duties by the Board of examinations and evaluation; it has been observed that there are many reasons for difficulties/poor law implementation for the provisions of the Board of Examinations and Evaluation of the Maharashtra Public Universities Act, 2016 which may be shown at a glance

2. Statement of research problem

The intension for selection of the research subject matter is to ascertain the findings/observations for effective implementation; and difficulties in order to remove for the for the provisions for the Board of Examinations and Evaluation along with the power and duties of the Director, Board of Examinations and Evaluation of the Maharashtra Public Universities Act, 2016; and to find out the solutions as conclusions and suggestion of this research subject matter; for effective usage of this act and for the welfare of the student, University, society and ultimately for the Nation. Hence, It has endeavored to select the statement of the research problem as the solitary one and for effective usage of this act and for the welfare of the student, University, society and ultimately of the Nation.

The Act is recent one and applied for the eleven non-agricultural Universities in the State of Maharashtra by repealing Maharashtra Universities Act, 1994.

3. Aims and objectives

One of the very basic purpose of this research study is to make known the status of implementation and thereafter the difficulties for the provisions for the Board of Examinations and Evaluation; along with the power and duties of the Director, Board of Examinations and Evaluation; from Section s 17(1), 17(2), 17(3), 17(4), 17(5), 17(5)(a) to 17(5)(a) to 17(5)(u), 47 (1), 47 (2), 47 (3), 47 (3)(a) to (j); 48 (1) (a) to (l), 48 (2), 48 (3)(a)(i) to (v), 48

[7] Sec.47 (1) of the Maharashtra Public Universities Act, 2016

[8] Sec.47 (3)(a) to of the Maharashtra Public Universities Act, 2016

(3)(b), 48 (3)(c), 48 (4), 48 (5) (a) and 48 (5) (b) of the Maharashtra Public Universities Act, 2016.

1. To observe the status of implementation and difficulties that one of the basic objectives of the the Board of examinations and evaluation is the timely declaration of the result with especial efforts of the Board of Students' Development and the Board of Sports and Physical Education, regarding alterna- tive arrangements.

2. To observe the status of implementation and difficulties that BOEE has made efforts to prepare the financial estimates relating to examinations and evaluation for incorporation in the annual financial estimates (budget) of the university.

3. To observe the status of implementation and difficulties that BOEE has arranged for strict vigilance during the conduct of examinations so as to avoid use of unfair means by the students, teachers, invigilators, supervisors, etc.

4. To observe the status of implementation and difficulties that BOEE has used computer technology for the entire process of assessment and evaluation including creating and effectively using a repository of question banks.

5. To observe the status of implementation and difficulties that BOEE has ensured the assessment of answer books for award of degrees, diplomas or certificates shall be done centrally through central assessment system by following system of masking and de-masking of answer books or any other alternative system for ensuring the objective of secrecy.

5. To observe the status of implementation and difficulties that BOEE has undertaken examination and evaluation reforms in order to make examination and evaluation system more efficient.

6. To observe the status of implementation and difficulties that that BOEE has to appoint paper-setters, examiners and moderators from amongst the persons included in the panels prepared by the respective Boards of Studies and, where necessary, having regard to the recommendations made by the committee under clause (b) of sub-section (5), remove them or debar them.

7. To observe the status of implementation and difficulties that that BOEE has approved detailed programme of examinations and evaluation.

8. To observe the status of implementation and difficulties that BOEE has to hear and decide the complaints relating to conduct of examinations andevaluation.

9. To observe the status of implementation and difficulties that the report of the committee under section 48 (5)(b) constituted under section 48 (5) (a) to investigate and take disciplinary action for failure to comply with the order of the university for rendering assistance or service in respect of examinations by or on behalf of the university or evaluation of students or formal- practices and lapses on the part of candidates, paper-setters, examiners, moderators, referees, teachers or any other persons connected with the conduct of examinations including the pre-examination stage and the post-examination stage or at any stage whatsoever

Significane of the study

This study is much more significant as it focuses on the status of implementation and the difficulties for the provisions for the Board of Examinations and Evaluation along with the power and duties of the Director, Board of Examinations and Evaluation of the Maharashtra Public Universities Act, 2016; and to find out the solutions as conclusions and suggestion of this research subject matter; for effective usage of this act and for the welfare of the student, University, society and ultimately for the Nation.

The issues and challenges raised in the study will definitely help all the stake holders to become aware of their rights, to take active role in the enforcement of the rights as enshrined in the provisions the Act[9] more effectively and fruitfully to have better quality results of examination subject matter for whom this Act is meant.

Ultimate attempt is to find out the progress and welfare of the student as the center point of this Act and provide better quality results of examination subject matter.

4. Areas of Research

This study especially revolves around the procedural parts of the Act[10] and strengths as an instrument to impart the justice by removing difficulties during the implementation of the said provisions. It is purposed to evaluate the attributes add to the efficiency as a tool of righteousness

Present study covers very small sample of the stake holders; i.e. University/college teachers, students, administrative staff/officers, statutory officers of the University, college principals and authorities of the University; especially most of these stake holders are from Swami Ramanand Teerth Marathwada University, Nanded as special reference is provided in this research title.

The present research work may have both doctrinal and non doctrinal nature. The researcher during conduct of the research work may study and scrutinize study material available in books, journals, case laws (if any), references, internet and especially the data collected by the stake holders.

Any one of the non-agricultural Universities covered under Maharashtra Public Universities Act, 2016 other than S.R.T.M.U., Nanded may be considered for this research work for few select subject matters.

5. Review of Literature and Research

The researcher to conduct the present research work has made the efforts for the best quality unique research work; and hence to go through the

[9] Section 47 (1), 47 (2), 47 (3), 47 (3)(a) to (j); 48 (1) (a) to (l), 48 (2), 48 (3)(a)(i) to (v), 48 (3)(b), 48 (3)(c), 48 (4), 48 (5) (a) and 48 (5) (b) of the Maharashtra Public Universities Act, 2016.

[10] Section 47 (1), 47 (2), 47 (3), 47 (3)(a) to (j); 48 (1) (a) to (l), 48 (2), 48 (3)(a)(i) to (v), 48 (3)(b), 48 (3)(c), 48 (4), 48 (5) (a) and 48 (5) (b) of the Maharashtra Public Universities Act, 2016.

various bare laws, text books, reference books, constitution of India, and ther study materials like journals, news papers, reports few case laws along with internet; especially Shodhganga.

The research topic is selected to be the unique master piece by review of the literature as mentioned above. Primary and secondary sources for research are reviewed by the Indian Constitution, Marathwada University Act, 1974, Maharashtra Universities Act , 1994, libraries, news papers, government Gazettes, bare acts, and by Shodhganga especially. Other research helping sources such as reference books, research reports, thesis, synopses, journals, dictionaries, encyhyclopedia, wickiepedia, different websites of government and Universities etc. are referred.

6. Hypothesis

This hypothesis may be tested by the researcher by applying doctrinal and non- doctrinal research methodologies and research tools to ascertain the findings/observations for effective implementation; and later on difficulties, if any may be suggested for removal for the following subject matters of the research work

1. One of the basic objectives of the the Board of examinations and evaluation is the timely declaration of the result for strict vigilance during the conduct of examinations.

2. BOEE that is using computer technology for the entire process of assessment and evaluation including creating and effectively using a repository of question banks is required to be tested.

3. BOEE that may undertake examination and evaluation reforms in order to make examination and evaluation system more efficient.

4. The 48 (5)(b) Committee Report in order to investigate and take disciplinary action for failure to comply with the order of the university for rendering assistance or service in respect of examinations by or on behalf of the university or evaluation of students or formal- practices and lapses on the part of candidates, paper-setters, examiners, moderators, referees, teachers or any other persons connected with the conduct of examinations including the pre-examination stage and the post-examination stage or at any stage whatsoever; need to be tested.

8. Research Methodology

This study is designed to focus on the status of implementation and the difficulties for the provisions for the Board of Examinations and Evaluation along with the power and duties of the Director, Board of Examinations and Evaluation of the Maharashtra Public Universities Act, 2016; and to find out the solutions as convulsions and suggestion of this research subject matter; for effective usage of this act and for the welfare of the student, University, society and ultimately for the Nation.

The present research work may have both doctrinal and non doctrinal nature. Present study covers very small sample of the stake holders; of i.e. University/college teachers, students, administrative staff/officers, statutory officers the University, college principals and authorities of the University; especially most of these stake holders are from S.R.T.M.U, Nanded

The data for this study will be collected through participants/stake holders as mentioned above by research tools such as observation, interview

and recording of things (information to collect by letters, memos, media of RTI, etc.) Formal and informal interactions with teachers, students, administrative staff/officers, statutory officers the University, college principals and authorities of the University may be made. Apart from observing, recording and documentation; questionnaires, inclusive of both close ended and open-ended questions will be provided to collect the data from the participants.

The data especially collected will be manipulated (Data Analysis and Interpretation) for aims and objective purposes; by questionnaires, observation and interview schedule from the stake holders for this research work will be processed by editing, coding, classification and tabulation.

Utmost efforts for quality research work may be taken in order to prevent scientific misconducts such as falsification, fabrication and plagiarism.

9. Limitations of the Study

Present study covers very small sample of the stake holders; i.e. University/college teachers, students, administrative staff/officers, statutory officers of the University, college principals and authorities of the University; especially most of these stake holders are from Swami Ramanand Teerth Marathwada University, Nanded as special reference is provided in this research title.

The present research work may have both doctrinal and non doctrinal nature. The researcher during conduct of the research work may study and scrutinize study material available in books, journals, case laws (if any), references, internet and especially the data collected by the stake holders.

Not more than fifty per cent other non-agricultural Universities covered under Maharashtra Public Universities Act, 2016 may be considered for this research work for few select subject matters.

10. Chapterisation

To preset the research subject matter, namely, difficulties during implementation of the provisions of Examination matters of the Maharashtra Public Universities Act, 2016 with special reference to S.R.T.M.U., NANDED (Introductory Review); the research work may be tentatively divided into the following chapters.

Chapter-I : Introduction
- 1.1 Meaning, nature and scope of the examination
- 1.2 Introductory review for the Board of Examinations and Evaluation
- 1.3 Primary introduction for the research title
- 1.4 Statement of the research problem

Chapter-II : Origin and Development
- 2.1 Review of literature and research
- 2.2 Sources for the research title
- 2.3 Aims and Objectives
- 2.4 Significance of the research

2.4 Limitations for the research work

Chapter-III : Data collection for Aims and objectives

3.1 Reserch methodology

3.2 Data collection tools for research work

3.3 Hypothesis formulations

Chapter-IV : Interpretation and Analysis (Part I)

4.1 The timely declaration of the result.

4.2 To prepare the financial estimates relating to examinations and evaluation in the annual financial estimates (budget) of the university.

4.3 Strict vigilance during the conduct of examinations.

Chapter-V : Interpretation and Analysis (Part II)

5.1 Computer technology for the entire process of assessment and evaluation.

5.2 The assessment of answer books for award of degrees, diplomas or certificates shall be done centrally through central assessment system by following system of masking and de-masking of answer books or any other alternative system for ensuring the objective of secrecy.

5.3 Undertaken examination and evaluation reforms.

5.4 Appoint paper-setters, examiners and moderators.

Chapter-VI : Interpretation and Analysis (Part III)

6.1 To approve detailed programme of examinations and evaluation.

6.2 to hear and decide the complaints relating to conduct of examinations andevaluation.

6.3 The report of the committee under section 48 (5)(b) Constituted under section 48 (5) (a) to investigate and take disciplinary action

6.4 Powers and duties of the Director, Board of Examinations and Evaluation.

Chapter-VII : Conclusions, Findings and Suggestions

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